

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, MARCH 20, 1985

A regular meeting of the City Council of the City of Lodi was held beginning at 7:30 p.m. on Wednesday, March 20, 1985 in the City Hall Council Chambers.

ROLL CALL

Present: Council Members - Pinkerton, Hinchman, Olson, Reid, and Snider (Mayor)

Absent: Council Members - None

Also Present: City Manager Glaves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION            The invocation was given by Reverend Ron Grielich, Salem  
United Methodist Church

PLEDGE                      The Pledge of Allegiance was led by Mayor Snider

**PRESENTATIONS** Mayor Snider presented a Proclamation to a group of young Camp Fire youngsters honoring the 75th year of Camp Fire

REPORTS OF THE CITY MANAGER

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Hinchman second, approved the following actions hereinafter set forth.

## CONSENT CALENDAR

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CLAIMS *12/22* CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,313,475.89

MINUTES THE MINUTES OF FEBRUARY 20, 1985 WERE APPROVED AS WRITTEN.

IMPROVEMENT DEFERRAL AGREE- MENT 303 SOUTH PLEASANT AVENUE APPROVED	COUNCIL APPROVED THE IMPROVEMENT DEFERRAL AGREEMENT BETWEEN RONALD A. FORBES AND ELISE A. FORBES (303 SOUTH PLEASANT AVENUE, LODI) AND THE CITY OF LODI AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY
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PUBLIC HEARINGS      There were no Public Hearings scheduled for this meeting

COMMUNICATIONS  
CITY CLERK

ABC LICENSES 177 Applications for the following Alcoholic Beverage License were received:

- a) Circle K Convenience Stores, Inc.  
300 North Ham Lane  
Lodi, CA  
Off Sale Beer and Wine
- b) Happy Times Liquor  
115 North Cherokee Lane  
Lodi, CA  
Off Sale General

CLAIMS 141 On recommendation of the City Attorney and L. J. Russo Insurance Services, Inc., the City's Contract Administrator, Council, on motion of Council Member Olson, Reid second, denied the following claims and referred them back to L. J. Russo Insurance Services, Inc.:

1) Barbara Day DOL 2/14/85

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CITY CLERK  
DIRECTED TO MAKE  
POSTINGS FOR  
LODI ARTS  
COMMISSION

On motion of Council Member Hinchman, Olson second, Council directed the City Clerk to make the necessary postings regarding pending vacancies on the Lodi Arts Commission.

REQUEST FOR  
ANNEXATION AND  
MEASURE A BALLOT  
MEASURES FOR  
NOVEMBER 1985  
ELECTION RECEIVED

City Clerk Reimche presented the following letter which had been received from Robert R. Batch and from Theodore T. Katzakian:

"We are requesting the annexation of the Robert Batch property to the City of Lodi. We are requesting that the matter be put on the November, 1985 ballot.

The property is a 100-acre plus parcel located on the west side of Lower Sacramento Road between West Elm Street extension and Lodi Avenue.

A tentative map was submitted to the Planning Department for processing. If you have any questions, please call Glen I. Baumbach at 368-6618.

Sincerely,

s/Robert R. Batch"

"I am currently representing Mr. Roy Maggio's property situated in the county, adjacent to Salas Park and fronting on S. Stockton St. and Harney Lane. It's approximately 37 acres.

The owner is interested in placing the property on the November ballot in compliance with Measure A, optimistically looking for annexation to the city.

I would like to know the procedure to follow and the projected costs involved in complying with the owners wishes.

Sincerely,

s/Theodore T. Katzakian

Mayor Snider directed that these items be considered at the same time Regular Calendar K-1 is discussed.

COMMENTS BY  
CITY COUNCIL  
MEMBERS

Council Member Reid apprised the Council that he had had the pleasure of representing the City at the recent Youth Fair Day in Stockton. Council Member Reid commented that a wonderful time was had by all and that the kids were great!

CITY REPRESENTED  
AT YOUTH FAIR DAY

HENRY GLAVES  
ATTENDS LAST  
COUNCIL MEETING  
AS CITY MANAGER

Mayor Randy Snider reminded the Council, Staff and the audience that this Council meeting would be the last Council meeting that Henry Graves would attend in the capacity of City Manager. Mayor Snider applauded Mr. Graves for his 27 years of dedicated service.

TOM PETERSON, NEW  
CITY MANAGER  
RECOGNIZED

The new City Manager, Tom Peterson, was seated in the audience and was recognized by the Council.

COMMENTS BY THE  
PUBLIC ON NON  
AGENDA ITEMS

There were no persons wishing to speak under this segment of the agenda.

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REPORTS OF THE  
CITY MANAGER

REGULAR CALENDAR

VARIOUS MEASURE A  
MEASURES PLACED  
ON NOVEMBER 1985  
BALLOT

Agenda item K-1 - "Request from Kris Cronwell and A. Frederick Baker for annexation of certain parcels to the City of Lodi and Measure "A" measures to be placed on November ballot" was introduced by Staff. The requests are hereinafter set forth and thereby made a part of the record.

"Dear City Council Members:

Being a part of Lodi for 23 years, it has been exciting for me to purchase the Towne Estate so it can be preserved as a Lodi landmark. With the dream of being able to retain the history, dignity, and traditions of the Towne family and the many friends who have enjoyed the estate for the past 82 years, it will still reflect all the wonderful and happy times as it is shared in the future. It will be a landmark for all of us to be proud of and enjoy.

My plan is to convert the property to a very romantic and nostalgic inn called the "Wine and Roses" Country Inn. The gracious atmosphere of the charming home and beautiful grounds will be refurbished for overnight guests, an intimate restaurant, small outdoor weddings, private gatherings, and fund raising activities. I believe the property will be a significant asset to our community.

The property sits on the edge of the city limits of Lodi, but is in the county. The approval of the County Use Permits states that I must conform to city standards in developing the off-site improvements on Turner Road, and the county is requiring me to comply with them on the on-site improvements such as sewer, water, and parking. To put in all the required on and off-site improvements is going to be very costly. To install all the necessary sewer requirements will tear up a good portion of the beautiful grounds we want to preserve. The water requirements require me to add a new pump, holding tank, and possible new well.

My ultimate goal is to become annexed to the city. Knowing that can only happen through an election, I intend to take the necessary steps to get on the November ballot, but the timing of the project needs to be completed by summer. Since the Towne Estate is very much a part of the past, present, and future of Lodi, I am requesting that you consider allowing the property to be served with water and sewer utilities.

Thanking you in advance for your consideration.

Sincerely,

s/Kris Cronwell"

"My office represents Dr. Mel Taves, the owner of land lying adjacent to the City of Lodi which is bounded on the West by Lower Sacramento Road and on the East by Kettleman Lane. It is approximately 24.25 acres in site.

We respectfully request that the City of Lodi assume the role of "lead agency" in the processing of our annexation.

Dr. Taves anticipates developing at least 25 percent of the total units of the development for persons and families of low or moderate incomes, as defined by section 50093 of the Health and Safety Code. Pursuant to California Government Code chapter 4.3, Section 65915, when a developer agrees to construct at least 25 percent of the total units for persons

into an agreement with the developer to either grant a density bonus or provide not less than two other bonus incentives for the project and other incentives.

As you are aware, the City adopted the housing element of the general plan which has as one of its goals, the adequate provision of housing. Another goal is to develop an incentive program which encourages new developments to designate a percentage of the units supply housing for particular need groups in the community. Page 71, paragraph 4 of the housing element states that "as an additional incentive to include low and moderate income housing, those projects containing units of this nature should be given priority. As an example, a particular staff person, knowledgeable of below market rate housing, should be designated to sheppard these development applications quickly through the permit process."

Therefore, we ask that the City act expeditiously on our request.

We understand that the City, as a precondition to annexation, must place our matter on the ballot to be voted on by the citizens. We are informed that the City, upon making the finding that the proposed annexation is contiguous to existing city boundries (which this property is) and the project demand from the proposed development in the area to be annexed will not exceed the service capacity of the existing municipal utilities and services, the school district, and existing roadways (a finding which can be made) that the City must then schedule an election.

Would you kindly advise me when this property can first be considered by the voters.

Thank you for your kind attention to this matter.

Very truly yours,

s/A. Fred Baker  
s/Melvin E. Taves"

The requests from Robert R. Batch and Theodore T. Katzakian, which had been presented under "Communications", were then reintroduced.

A lengthy discussion followed with questions regarding the subject being directed to Staff.

On motion of Mayor Snider, Olson second, Council authorized that the following Measure A election measure be placed on the November 1985 ballot:

- a) Request of Kris Cromwell re Towne Estate Parcel located on Turner and Lower Sacramento Roads, Lodi.
- b) Request of A. Frederick Baker on behalf of Dr. Melvin Taves re parcel on the east side of Lower Sacramento Road, South of Kettleman Lane, Lodi.
- c) Request of Robert Batch re parcel located on the west side of Lower Sacramento Road between West Elm Street extension and Lodi Avenue.
- d) Request of Theodore T. Katzakian representing Mr. Roy Maggio re parcel located adjacent to Salas Park and fronting on South Stockton Street and Harney Lane.

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REQUEST FOR  
OUTSIDE SERVICE  
CONT'D

Following a request by Kris Cromwell, for outside water and sewer service to the subject Towne parcel, and discussion regarding the subject, Council, on motion of Mayor Pro Tempore Hinchman, Olson second, approved the request for water service and continued consideration of the request for outside sewer service to the Regular Council meeting of April 3, 1985 to allow time for additional study of the matter.

Further, following introduction of the subject by the City Clerk, Council, on motion of Council Member Reid, Olson second, directed the City Clerk to negotiate with the County of San Joaquin on the possible consolidation of the November 1985 election.

INFORMATION  
RECEIVED RE  
CHANGE IN OWNER-  
SHIP OF LODI  
COMMUNITY  
HOSPITAL AND  
THE EXPIRATION  
DATE OF USE  
PERMITS RE THAT  
PROPERTY

A Staff report was given by Community Development Director Schroeder on Agenda item K-2 - "Correspondence re change in ownership of Lodi Community Hospital and the expiration date of Use Permits for two temporary mobile office structures on the hospital site". No formal action was taken by the Council on the subject.

REVIEW SIDEWALK  
DEFICIENCIES ON  
CITY'S MAJOR  
STREET PROJECTS

Agenda Item K-3 - "Review sidewalk deficiencies on City's major street projects" was introduced by Public Works Director Ronsko who gave the following report concerning the subject:

In 1985 we will be reconstructing and/or widening the following streets:

1. Ham Lane - Lodi to Elm
2. Hutchins Street - Rimby to Vine
3. Lockeford Street - Mills to Cross
4. California Street - Lockeford to Turner Road
5. Stockton Street - Kettleman Lane to Vine

The above exhibits show these street projects with the deficient curb and gutter and sidewalk noted. As a part of these above projects, the City will be installing the deficient curb and gutter with one exception. Some of the deficient sidewalk will be installed by the City because it is our responsibility. In some cases, the City has agreements with property owners for the installation of the sidewalk, however, there are some sidewalk deficiencies on developed parcels where we need direction from the City Council. Sidewalk installation is a property owner's responsibility. The City can require the property owners to provide the sidewalk that is missing where we have the right-of-way and more than 50% of the block has improvements.

Ham Lane

The Ham Lane project includes street reconstruction with widening on the west side.

There are presently only four parcels which have no sidewalk. The City has a verbal agreement with the property owners of the 4-plex, located on the S.W. corner at Walnut Street, for the installation of sidewalk on Ham Lane. It is recommended that the City call for this sidewalk installation at this time.

A portion of the Zion Reformed Church (fronting the parking lots on the north and south side of the church) has no sidewalk. The City is acquiring right-of-way from the Zion Reformed Church and it is recommended that the City ask that they put in their sidewalk at this time. The cost of the sidewalk installation is approximately \$3,000 which is about

acquisition. The west side of Ham Lane is highly used by pedestrian traffic due to the proximity of Lodi High School.

#### Hutchins Street

This project includes street reconstruction between the existing curbs.

On the east side of the street between Ribier and Cardinal, there is one undeveloped parcel where there is no curb and gutter or sidewalk. In order to get a good finished product, the City is proposing to remove the two large cottonwood trees which are in the right-of-way at the edge of pavement and install curb and gutter through the frontage of this parcel. It is not proposed that the sidewalk be installed until the parcel is developed.

Also on the east side between York and Windsor, there is a developed residential parcel with no sidewalk. The City has the right-of-way in this area and it is recommended that the City require this property owner to install sidewalk at this time.

#### Lockeford Street

This project includes the reconstruction of the existing pavement between the existing curbs. There are two parcels having no sidewalk. It is recommended that the City require this sidewalk be installed at this time.

#### California Street

This project includes street reconstruction between the existing curbs.

The City will be installing curb, gutter, and sidewalk through the railroad crossing similar to the approach improvements that were recently made on Ham Lane at the Southern Pacific crossing. The railroad crossing protection will be installed by Southern Pacific in conjunction with this project.

The only other area that is deficient in sidewalk is the east side of the block between Lockeford and Hutchins (Holly Drive) fronting the small shopping center and coffee shop. The City has the right-of-way in this area and it is recommended the City require the property owner to install sidewalk on the east side of California Street between Lockeford and Hutchins (Holly Drive). The block surrounded by Hutchins, Lockeford, and California, also has deficient sidewalk on the Hutchins Street frontage. The City Council may want to require all of this sidewalk being installed at this time.

#### Stockton Street

This project includes the reconstruction of the existing pavement, widening in some areas, and the City providing curb and gutter in the areas where the parcels are developed in order to get a better overall finished paving project. This project is currently under construction and the work is being done by the Claude C. Woods Co.

Fronting Valley Industry, the City is not providing curb and gutter because the parcel is a large undeveloped property where future development will require the installation of a curb, gutter and sidewalk. The parcel on the northeast corner of Kettleman Lane and Stockton Street has no curb and gutter or sidewalk, however, at the time of its development, the City took the dollars to cover this work since the

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Therefore, the City is putting in curb, gutter and sidewalk on this parcel under this project.

On the east side, there are six remaining parcels which do not have sidewalk. It is recommended that the City require these parcels to install sidewalk along their frontage. It is our understanding from C. C. Woods Company that they already have a contract with two of these property owners to install their sidewalks.

On the west side, in addition to the large undeveloped Valley Industry's parcel, there are five smaller parcels which do not have sidewalk. This sidewalk could be required now or delayed until the Valley Industry parcel develops and then require sidewalk fronting all of the west side of Stockton Street from Kettleman Lane to Vine Street.

Numerous exhibits and diagrams were presented for Council's perusal.

A very lengthy discussion followed with questions being directed to Staff.

By motion action, Council determined that the property owners provide sidewalk that is missing where the City has the right-of-way and more than 50% of the block has improvements as recommended by Staff in the following areas:

- a) On motion of Council Member Reid, Olson second - Ham Lane - Lodi Avenue to Elm Street. The motion was adopted by unanimous vote.
- b) On motion of Council Member Olson, Reid second - Hutchins Street - between York and Windsor, except for undeveloped parcel in subject area. The motion carried by unanimous vote.
- c) On motion of Mayor Pro Tempore Hinchman, Olson second, Lockeford Street - Mills to Cross. The motion carried by unanimous vote.
- d) On motion of Mayor Pro Tempore Hinchman, Olson second - California Street - Lockeford to Turner Road (including block surrounded by Hutchins, Lockeford, and California) The motion carried by the following vote:  
 Ayes: Council Members - Hinchman, Olson, Pinkerton, and Snider  
 Noes: Council Members - Reid
- e) On motion of Council Member Reid, Hinchman second - Stockton Street - Kettleman Lane to Vine Street (excepting parcels on the west side which will be improved when Valley Industry develops).

RECESS

Mayor Snider declared a 5 minute recess and the meeting reconvened at 9:20 p.m.

LOCKEFORD STREET  
IMPROVEMENTS -  
PLEASANT AVENUE  
TO SACRAMENTO  
STREET

Agenda item K-4 - "Review improvements - Lockeford Street, Church Street to Sacramento Street" was introduced by Public Works Director Jack Ronsko who apprised the Council that in the City's 1985 Capital Improvement Program, there was \$86,000 budgeted for providing an asphalt overlay on Lockeford Street from Pleasant Avenue to Sacramento Street. The Southern Pacific Railroad has planned for some time to replace their ties and raise their rails between Pleasant and Church Street due to settlement. Increasing the height of the rail will provide for the City's overlay and will improve the cross slope between the rails and the curb. Because of the flatness of the street and some settlement in the area of

raising the rails in this area also and we have indicated that we would provide some participation. The estimate at the time the budget was prepared included participation to Southern Pacific but did not include any curb and gutter replacement.

However, in doing a detailed field review of the existing curb and gutter, it appears that most all of the curb and gutter on the north side between Church and School should be replaced and approximately 50% of the curb and gutter should be replaced on the south side. There is also need for some replacement on the north side of Lockeford between School and Sacramento.

The City presently has the ultimate 80 foot street right-of-way between Church and Sacramento Street. The south side of Lockeford between School and Sacramento Street fronting Weil Motors, has already been widened to ultimate (32 foot half street width). All of the remaining existing sidewalk is located at its ultimate location from centerline (plus or minus 6") and there is presently an existing landscaped parkway between this sidewalk and the existing curb and gutter. The City Street Master Plan shows Lockeford Street as a 64 foot curb-to-curb street in an 80 foot right-of-way.

Since approximately one half of the curb and gutter between Church and Sacramento Street needs replacement, and since the City already owns the ultimate 80 foot right-of-way, and since the existing sidewalk is located at its ultimate location, and since the south half of Lockeford between School and Sacramento is already widened to ultimate, it appears reasonable to consider widening this two-block area now as part of this construction project.

The proposed widening will also provide for additional shyway distance from the railroad tracks, which are in the center of the street. It is not intended to stripe this widened area to four lanes at this time. The cross section would be similar to that which is presently existing in front of Weil Motors just east of School Street. The proposed widening does mean that the City's (11) Locust trees in the parkway between Church and School would have to be removed. However, the City could offer new trees to the property owners as part of our tree planting program, i.e., similar to what is being done on Ham Lane. Without widening, the actual cost, including the required curb and gutter replacement, will be approximately \$95,000. Lockeford Street between Church and Sacramento could be widened to ultimate at an added cost of approximately \$40,000.

The staff would like to receive some direction from the Council as it relates to this possible widening. If the concept is approved, we would then prepare a negative declaration and hold a public hearing as it relates to the proposed widening to get public input. It is felt by the Community Development Department that we may not have to go through the full EIR process.

s/Jack L. Ronsko  
Public Works Director

Following a lengthy discussion with questions being directed to Staff, Council, on motion of Council Member Pinkerton, Snider second, set a Public Hearing at the April 17, 1985 Regular Meeting for consideration of the certification of the filing of a Negative Declaration of the Lockeford Street Improvement Project - Church to Sacramento Street.



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*11/12/85 0045a*

REVIEW OF ANGLE  
PARKING CENTRAL  
AVENUE - LODI  
AVENUE TO FLORA

Council was reminded that a petition had been received requesting the removal of angle parking on Central Avenue between Hilborn and Flora. Council was apprised by Staff that the conversion from diagonal to parallel would change the number of stalls from 39 to 26. Staff indicated that it appears that there is a very low demand for parking in the area and it would be their recommendation to remove the angle parking on Central Avenue between the alley south of Lodi Avenue and Flora Street.

Following discussion, on motion of Mayor Snider, Reid second, Council directed the removal of angle parking on Central Avenue between the alley south of Lodi Avenue and Flora Street by the following vote:

Ayes: Council Members - Olson, Reid, and Snider

Noes: Council Members - Hinchman and Pinkerton

*11/12/85 0048a 0049a*

URGENCY ORDINANCE  
ADOPTED RELATED  
TO REMOVAL OF  
PARKED VEHICLES

ORD. NO. 1349

Following introduction of the matter by City Attorney Stein, Council, on motion of Council Member Reid, Olson second, adopted Urgency Ordinance No. 1349 - Ordinance amending City Code Chapter 14, Section 43, relating to removal of parked vehicles, by deleting reference to the vehicle code section. The motion carried by unanimous vote.

*11/12/85 0050a*

AGREEMENT WITH  
LODI GRAPE AND  
WINE FESTIVAL FOR  
LAWRENCE PARK  
PROPERTY DURING  
FESTIVAL APPROVED

Following introduction of the matter by Staff, Council, on motion of Council Member Reid, Hinchman second approved Lease Agreement with the Lodi Grape and Wine Festival for Lawrence Park property during the Festival and authorized the Mayor and City Clerk to execute the subject agreement on behalf of the City.

*11/12/85 0051a*

AGREEMENT TO  
OPERATE THE  
CONCESSIONS AT  
LAWRENCE HARDBALL  
PARK APPROVED

Following introduction of the matter by City Manager Graves and discussion, Council, on motion of Mayor Snider, Olson second, approved Agreement with Michele Sprague to operate the concessions at the Lawrence Hardball Park from April 1, 1985 to December 31, 1985 and authorized the City Manager and City Clerk to execute the Agreement on behalf of the City.

*11/12/85 0052a*

AMENDMENT TO WAPA  
CONTRACT PROVIDING  
FOR "REAL-TIME"  
SCHEDULING  
APPROVED

RES. NO. 85-41

Following introduction of the matter by Utility Director Rice and discussion, with questions being posed by the Council, Council, on motion of Council Member Reid, Hinchman second, adopted Resolution No. 85-41 amending the WAPA Contract, thereby providing for "real-time" scheduling and authorizing the Mayor and City Clerk to execute the Agreement on behalf of the City.

ADJOURNMENT

The meeting was adjourned at approximately 9:55 p.m. to a Closed Session of the Council to discuss a matter pertaining to litigation.

Attest:

*Alice M. Reinche*  
Alice M. Reinche  
City Clerk